

## **CONSUMER COMPLAINTS -**

### **Does It Do Any Good To Complain?**

The answer is yes!

Investigating complaints is an important part of the Division of Public Utilities and Carriers "Division" regulatory duties. Complaints help us monitor utility compliance with our rules. Thousands of questions and complaints are handled each year by our Consumer Section and Motor Carrier Units.

### **What Complaints Can The Division Handle?**

The Division has the authority to investigate utility service, safety, billing, and rates. We handle complaints about service outages, connection and suspension of service, billing problems, payment arrangements, and disputed charges. The Division does not have the authority to award consequential damages. Such damage claims must be filed in a court of law.

### **What Companies Does The Division Regulate?**

The Division regulates public utilities which provide electric, gas, telephone service, larger water suppliers, the Narragansett Bay Commission; also common carriers of property and passengers. The Division additionally has limited jurisdiction over the operations of Cable TV service providers.

### **Can Service Be Shut Off During A Complaint?**

If you have a complaint concerning all or part of an unpaid bill and tell your utility company that you are disputing the amount, your service should not be suspended during the complaint investigation process. You must also pay all bills or parts of bills that are not in dispute. The utility company can suspend your service if you fail to do so.

### **How Do I Make An Effective Complaint?**

Decide what you want to accomplish. Be specific in stating your inquiry, request or complaint. If you have a service complaint, be specific about how you want it resolved.

Review all your arguments and suggestions. Make sure there are no gaps in explanations or descriptions. Verify your name, address, and phone number. Make sure they are clearly written at the beginning or end of a letter.

## **Formal vs. Informal - What's the Difference?**

Basically, there are two different types of complaints that can be filed with the Division: **Informal and Formal**. Each involves a different procedure. Informal complaints are handled by a Division Consumer Agent or a Motor Carrier Investigator.

Formal complaints are handled through a legal proceeding in which the complaint is presented by you or your attorney before a Hearing Officer.

### **Informal Complaint Procedures**

As explained below, there are two types of informal complaints and related procedures. For either type of informal complaint, you should be prepared to provide:

Your name, address and phone number;

The name and account number(s) of the utility against whom you are registering a complaint;

Complete facts on your complaint;

Action taken by the utility; and, copies of supporting documentation.

Type 1:

If you are a gas, electric or water residential customer, and the service is to your primary residence, you may submit your billing dispute and/or inability to pay concerns to a Division Consumer Agent. You may make this type of informal complaint by phone, by letter, or in person to our Consumer Section. The Division's Consumer Section will assist you with any questions and concerns. An "informal review" proceeding may also be scheduled to permit you an opportunity to explain the nature of your dispute and/or concern. A representative from the utility will also be present. At the end of this review process, the Division's Reviewing Officer will issue a written decision. If you are aggrieved by this informal review decision, you may appeal the decision to a formal evidentiary hearing before a Division Hearing Officer.

Type 2:

For all other type complaints, upon receipt of a written complaint, a Motor Carrier Section or Consumer Section investigator will forward a copy of the complaint to the relevant utility for a written response. Thereafter, an investigation will ensue, which will lead to investigatory conclusion on the complaint in issue. Division personnel are responsible for answering questions,

providing information, and resolving informal complaints. Many complaints are resolved informally and investigations may begin the day your complaint is received. If, however, Division personnel determine that the utility may have acted unreasonably or in violation of applicable rules and regulations, or if a genuine issue of material fact remains unresolved, you will be offered an opportunity to advance your complaint before a Division hearing officer during a formal hearing (see below).

### **Formal Complaint Procedures**

Before bringing a formal complaint to the Division, you must give the relevant utility company a chance to resolve the problem. The Division requires that you make a "good faith" effort to do so.

If the Division has jurisdiction to decide the dispute, and if the Hearing Officer decides that a hearing is necessary, a formal notice will be issued notifying you of the time and place of the hearing.

During the formal complaint process, you may, but do not have to, be represented by a lawyer. You or your attorney will be required to attend the hearing. If you see that you (or your attorney) cannot attend a hearing that has been set, you may file a Motion for a change of the hearing date.

Occasionally, an agreement is reached before a hearing that is mutually satisfactory to both the customer and the utility company. When that happens, the matter may be dismissed by the Hearing Officer.

The Hearing Officer is responsible for conducting the hearing and for giving you or your attorney the opportunity to present testimony and any evidence you may have. The Hearing Officer will also allow each side to ask questions of, or cross-examine, the other. A stenographer will be utilized at the hearing to record everything that is said or presented as evidence.

The decision on a formal complaint is not made during the hearing. The decision is issued in the form of a "Report and Order" after the Administrative Hearing Officer has had an opportunity to review the record and present his/her findings and recommendation(s) in writing to the Administrator. The Administrator will then review the Report and Order for official approval. The Administrator's approval of the Report and Order is binding on both the consumer and the utility. Formal Orders of the Division can be appealed to the Rhode Island Superior Court.

Filing requirements for formal complaints are explained in the Division's "Rules of Practice and Procedure" and the Commission's "Termination Rules" which are available on our agency website ([www.ripuc.ri.gov](http://www.ripuc.ri.gov)) and through the Division/Commission clerk.

**In Closing**

If you have questions about a regulated utility or a problem you are unable to resolve, contact our Consumer Section or Motor Carrier Units. You can come to see us in person, write to us, or call us on our local number (401) 941-4500.

We hope the information we have provided will answer your questions and give you a practical understanding of how the process works.